

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF DELAWARE

INTERMEC IP CORP.,)	
)	
Plaintiff,)	
)	
v.)	C. A. No. 04-357 (GMS)
)	
SYMBOL TECHNOLOGIES INC.,)	
)	
Defendant.)	

**SECOND NOTICE OF DEPOSITION OF SYMBOL TECHNOLOGIES INC.
PURSUANT TO FED. R. CIV. P. 30(b)(6)**

TO:	Karen L. Pascale, Esquire	Eric J. Lobenfeld, Esquire
	Bouchard, Margules & Friedlander	Hogan & Hartson
	222 Delaware Avenue, Suite 1400	875 Third Avenue
	Wilmington, DE 19801	New York, NY 10022

PLEASE TAKE NOTICE that, pursuant to Fed. R. Civ. P. 30(b)(6), Intermec IP Corp. ("Intermec"), by its attorneys, will take the deposition upon oral examination of Symbol Technologies Inc. ("Symbol"), by one or more officers, directors, managing agents or other persons who consent to testify on its behalf concerning the topics listed on Exhibit A hereto. The deposition will commence on August 18, 2005, at 9:30 a.m., at the offices of Morris, Nichols, Arsht & Tunnell, 1201 N. Market Street, Wilmington, DE 19801, or at such other time and place as shall be agreed upon by the parties or ordered by the Court, and will continue from day-to-day until concluded.

Symbol is requested to identify by August 10, 2005, the person or persons who will be designated to testify on its behalf. The deposition will take place before a notary public

or other person authorized by law to administer oaths, and will be recorded stenographically and/or by videotape.

MORRIS, NICHOLS, ARSHT & TUNNELL

/s/ Jack B. Blumenfeld

Jack B. Blumenfeld (#1014)

Rodger D. Smith II (#3778)

James W. Parrett (#4292)

1201 N. Market Street

P.O. Box 1347

Wilmington, DE 19899

(302) 658-9200

Attorneys for Plaintiff Intermec IP Corp.

OF COUNSEL:

Frederick A. Lorig

Bruce R. Zisser

BRIGHT & LORIG

633 West Fifth Street

Suite 3330

Los Angeles, CA 90071

(213) 627-7774

Carson P. Veach

Leland W. Hutchinson, Jr.

Jennifer Fitzgerald

FREEBORN & PETERS LLP

311 South Wacker Drive, Suite 3000

Chicago, IL 60606

(312) 360-6000

July 29, 2005

476534

EXHIBIT A

1. For each Symbol RFID tag, including those identified in Symbol's responses to Intermec's Interrogatory No. 13:

- (a) an identification and description of the antenna used on each tag;
- (b) an identification and description of the circuit chip used on each tag;
- (c) an identification and description of the substrate of each tag;
- (d) the design of each tag;
- (e) the component layout of each tag;
- (f) the material used in the fabrication of each tag;
- (g) the fabrication of each tag; and
- (h) the manufacture of each tag.

2. For each Symbol RFID tag, including those identified in Symbol's response to Intermec's Interrogatory No. 13:

- (a) the operation of each tag, including applications for which the tag was designed;
- (b) the functionality of the circuit chip used in each tag;
- (c) the function of the tag oscillator circuit;
- (d) the manner in which the tag oscillator frequency is determined;
- (e) the manner in which the tag modulation frequency is determined; and
- (f) the manner in which the tag is powered.

3. For each Symbol RFID reader, including those identified in Symbol's response to Intermec's Interrogatory No. 13:

- (a) the operation of each reader, including applications for which the reader was designed;
- (b) the functional components of each reader;
- (c) the protocol or protocols each reader uses to communicate with tags;
- (d) a description of information communicated from each reader to the tags;

- (e) the manner in which each reader reads multiple tags;
- (f) the Symbol RFID tags to which each reader can communicate;
- (g) the carrier frequency of each RF reader; and
- (h) the modulation used by each reader for communication with tags.

4. For each Symbol RFID tag, including those identified in Symbol's response to Intermec's Interrogatory No. 13 that is provided with a label having a bar code:

- (a) information stored in the tag memory; and
- (b) information encoded on the bar code label and its relationship to the information stored in the tag memory.

CERTIFICATE OF SERVICE

The undersigned hereby certifies that on July 29, 2005, I caused to be electronically filed Second Notice of Deposition of Symbol Technologies Inc. Pursuant to Fed. R. Civ. P. 30(b)(6) with the Clerk of the Court using CM/ECF, which will send notification of such filing to the following:

Karen L. Pascale, Esquire
Bouchard, Margules & Friedlander
222 Delaware Avenue
Suite 1400
Wilmington, DE 19801

I also certify that copies were caused to be served on July 29, 2005, upon the following in the manner indicated:

BY HAND

Karen L. Pascale, Esquire
Bouchard, Margules & Friedlander
222 Delaware Avenue
Suite 1400
Wilmington, DE 19801

BY FACSIMILE

Eric J. Lobenfeld, Esquire
Hogan & Hartson
875 Third Avenue
New York, NY 10022

/s/ Jack B. Blumenfeld (#1014)

Morris, Nichols, Arsht & Tunnell
1201 N. Market Street
P.O. Box 1347
Wilmington, DE 19899
(302) 658-9200
jblumenfeld@mnat.com